

Introduced by Senator Solis

February 24, 1997

An act to amend Section 1941.1 of the Civil Code, relating to civil law.

LEGISLATIVE COUNSEL'S DIGEST

SB 548, as introduced, Solis. Untenantable dwellings.

Existing law requires the lessor of a building intended for human occupation to maintain the building in a condition fit for human occupation, absent an agreement in which the lessee undertakes to improve, repair, or maintain all or stipulated portions of the building. Existing law provides that a building is untenantable if it lacks prescribed affirmative standard characteristics, such as floors, stairways, and railings maintained in good repair and effective waterproofing and weather protection of roof and exterior walls.

This bill would prescribe additional standard characteristics, including properly installed and maintained lighting for exterior areas adjacent to the dwelling unit and common areas and properly installed and maintained security locks, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1941.1 of the Civil Code is
2 amended to read:

1 1941.1. A dwelling shall be deemed untenable for
2 purposes of Section 1941 if it substantially lacks any of the
3 following affirmative standard characteristics:

4 (a) Effective waterproofing and weather protection of
5 roof and exterior walls, including unbroken windows and
6 doors.

7 (b) Plumbing or gas facilities which conformed to
8 applicable law in effect at the time of installation,
9 maintained in good working order.

10 (c) A water supply approved under applicable law,
11 which is under the control of the tenant, capable of
12 producing hot and cold running water, or a system which
13 is under the control of the landlord, which produces hot
14 and cold running water, furnished to appropriate fixtures,
15 and connected to a sewage disposal system approved
16 under applicable law.

17 (d) Heating facilities which conformed with
18 applicable law at the time of installation, maintained in
19 good working order.

20 (e) Electrical lighting, with wiring and electrical
21 equipment which conformed with applicable law at the
22 time of installation, maintained in good working order.

23 (f) Building, grounds and appurtenances at the time of
24 the commencement of the lease or rental agreement in
25 every part clean, sanitary, and free from all
26 accumulations of debris, filth, rubbish, garbage, rodents
27 and vermin, and all areas under control of the landlord
28 kept in every part clean, sanitary, and free from all
29 accumulations of debris, filth, rubbish, garbage, rodents,
30 and vermin.

31 (g) An adequate number of appropriate receptacles
32 for garbage and rubbish, in clean condition and good
33 repair at the time of the commencement of the lease or
34 rental agreement, with the landlord providing
35 appropriate serviceable receptacles thereafter, and
36 being responsible for the clean condition and good repair
37 of ~~such~~ *the* receptacles under his *or her* control.

38 (h) Floors, stairways, and railings maintained in good
39 repair.



1 (i) Properly installed and maintained lighting for
2 exterior areas adjacent to the dwelling unit and in all
3 common areas including, but not limited to, hallways,
4 parking areas, stairways, laundry rooms, and recreation
5 areas.

6 (j) Properly installed and maintained security locks on
7 all windows accessible from the dwelling's exterior,
8 including common areas, and dead bolt locks on all
9 exterior doors of the dwelling.

10 (k) Properly installed and maintained security locks
11 on all common area windows and doors in multiunit
12 buildings of 16 or more dwelling units.

